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REMARKS

Enclosed is a copy of the Japanese Abstract No. 11063148 which was missing from the October 27, 2003 Information Disclosure Statement. The Applicant apologizes for inadvertently forwarding two (2) copies of the German Application No. 197 03 544 A1 instead of one (1) copy of the German Application and one (1) copy of the Japanese reference. The Applicant respectfully requests the Examiner substantively consider the enclosed Japanese Abstract upon further consideration of this application. In the event that any official fee or petition is necessary in order for the Examiner to substantively consider the same, please consider this response to be necessary petition and charge any necessary fee(s) to the Deposit Account of the undersigned indicated below.

The drawings are objected to for the reasons noted in the official action, e.g., the failure to show some of the features of claims 10 and 16. All of the raised drawing objections are believed to be overcome by the cancellation of claims 10 and 16 from this application. If any amendment to the drawings is still believed necessary, the Examiner is invited to contact the undersigned representative of the Applicant to discuss the same.

The above amendment to the specification overcomes the informality noted in the specification on file. The undersigned avers that the newly amendments to the specification do not contain any new subject matter.

Claims 9-16 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for the reasons noted in the official action. The rejected claims are accordingly amended, by the above claim amendments, and the presently pending claims are now believed to particularly point out and distinctly claim the subject matter regarded as the invention, thereby overcoming all of the raised § 112, second paragraph, rejections. The entered claim amendments are directed solely at overcoming the raised indefiniteness rejection(s) and are not directed at distinguishing the present invention from the art of record in this case.

Next, claims 9-11, 13, 14 and 16 are rejected, under 35 U.S.C. §§ 102 and 103, as being either anticipated in view of Esaki '460 or Kuhn '951 and/or obvious in view of

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Kuhn `951 and Yamamoto `621. The Applicant acknowledges and respectfully traverses all of the raised rejections in view of the following remarks.

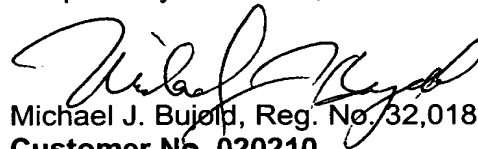
The Applicant thanks the Examiner for indicating that claims 12 and 15 are objected to but would be allowable if suitably amended. In accordance with this indication, claim 12 and 15 are appropriately revised, and those amended claims are now believed to be allowable. In addition, new claim 17 is entered in this case and this new claim recites the subject matter of amended claim 12 with the exception that claim 17 only recites "a first minus planetary gear set (3)" instead of both "first and second minus planetary gear sets (3, 4)", as recited in claim 12.

In view of the above cancellation of claims 9-11, 13, 14 and 16, the Applicant respectfully submits that further comments concerning the applied prior art of Esaki `460, Kuhn `951 and/or Yamamoto `621 is not believed necessary. The Applicant also notes the remaining prior art cited in the official action. As none of that additional art is applied by the Examiner against the claims of this application, the Applicant is not providing any comments concerning that art as well.

In view of the foregoing, it is respectfully submitted that this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



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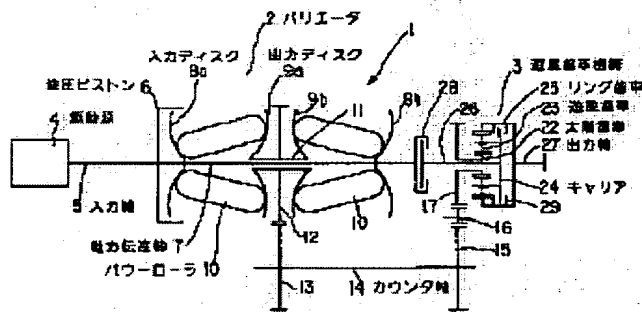
HALF-TOROIDAL TYPE CONTINUOUSLY VARIABLE TRANSMISSION

Patent number: JP11063148
Publication date: 1999-03-05
Inventor: MIYATA SHINJI
Applicant: NIPPON SEIKO KK
Classification:
- International: F16H37/02
- european:
Application number: JP19970217700 19970812
Priority number(s): JP19970217700 19970812

Abstract of JP11063148

PROBLEM TO BE SOLVED: To provide a half-toroidal type continuously variable transmission by which motive power transmitting efficiency can be improved.

SOLUTION: A variator 2 and a planetary gear mechanism 3 are provided, and the variator 2 is composed of mutually opposing input discs 8a and 8b to rotate by interlocking with an input shaft 5, output discs 9a and 9b and a power roller 10 rollingly connected between both discs so as to be freely tiltable, and the planetary gear mechanism is composed of a sun gear 22, a ring gear 25 arranged around this sun gear and plural planetary gears 23 rotatably supported between the sun gear and the ring gear by a carrier 24, and has a hydraulic piston 6 which is arranged between the input shaft and the input discs and presses the input discs to the output discs through the power roller, a counter shaft 14 which transmits rotation of the output discs to the sun gear and circulates motive power to the variator and a motive power transmitting shaft 7 to transmit rotation of the input shaft to the carrier of the planetary gear mechanism 3.



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